
EXHIBIT A

Jon Rastegar

From: Jon Rastegar
Sent: Saturday, July 28, 2018 7:25 PM
To: Nicole Sara Cunningham; CCE Pillsbury Team
Cc: CCE982@bcpc-law.com; Nash, Brian C.
Subject: Re: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order
Attachments: 2018-07-28 - CCE363 - Stip re Dkt No 148.docx

Nicole,

Given that the Court's order uses the word controlling, we believe it appropriate to submit a stipulation notifying the Court that the parties intend to address the larger phrase "control ... whether the application program behaves in a predetermined manner." To that end, I have attached a draft stipulation that we would like to file Monday morning. Please let us know if we have your permission to file.

Further, CCE's briefing will rely on ZTE's representation that it will not seek a construction or attempt to explain the plain and ordinary meaning of the above phrase. Accordingly, if ZTE deviates from this position, CCE will seek leave to file a reply brief. Please let us know if ZTE will oppose this relief.

Jon

From: Cunningham, Nicole S. <nicole.cunningham@pillsburylaw.com>
Sent: Wednesday, July 25, 2018 2:00 PM
To: Jon Rastegar; CCE Pillsbury Team
Cc: CCE982@bcpc-law.com; Nash, Brian C.
Subject: RE: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order

Yes, we agree.

Nicole S. Cunningham | Partner
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From: Jon Rastegar <jrastegar@bcpc-law.com>
Sent: Wednesday, July 25, 2018 11:15 AM
To: Cunningham, Nicole S. <nicole.cunningham@pillsburylaw.com>; CCE Pillsbury Team <CCEPillsburyTeam@pillsburylaw.com>
Cc: CCE982@bcpc-law.com
Subject: Re: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order

Nicole,

Thanks, does ZTE also agree that the Court's order contemplates construction of the phrase "control ... whether the application program behaves in a predetermined manner"?

Jon

From: Cunningham, Nicole S. <nicole.cunningham@pillsburylaw.com>

Sent: Wednesday, July 25, 2018 1:04 PM

To: Jon Rastegar; CCE Pillsbury Team

Cc: CCE982@bcpc-law.com

Subject: RE: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order

Jon,

With respect to ZTE's construction, as articulated at the hearing last week, we have no construction and we would go with the plain and ordinary meaning. We would appreciate CCE's proposed construction by the end of the day today.

Best Regards,
Nicole

Nicole S. Cunningham | Partner

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From: Jon Rastegar <jrastegar@bcpc-law.com>

Sent: Wednesday, July 25, 2018 9:15 AM

To: CCE Pillsbury Team <CCEPillsburyTeam@pillsburylaw.com>

Cc: CCE982@bcpc-law.com

Subject: Re: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order

Nicole,

Following up on this and our phone conversation yesterday, please provide ZTE's proposed construction for the phrase "control ... whether the application program behaves in a predetermined manner." We intend to contact the Court this afternoon if we have not heard from you.

Regards,
Jon

From: Jon Rastegar

Sent: Tuesday, July 24, 2018 2:00 PM

To: CCEPillsburyTeam@Pillsburylaw.com

Cc: CCE982@bcpc-law.com

Subject: FW: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order

Counsel,

In light of the Court's order, CCE requests that ZTE identify its proposed construction for the phrase "control ... whether the application program behaves in a predetermined manner."

Regards,
Jon

BRAGALONE CONROY PC
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Direct Dial: 214-785-6688

From: txedCM@txed.uscourts.gov [<mailto:txedCM@txed.uscourts.gov>]
Sent: Wednesday, July 18, 2018 4:41 PM
To: txedcmcc@txed.uscourts.gov
Subject: Activity in Case 6:16-cv-00363-KNM Cellular Communications Equipment LLC v. HTC Corporation et al Order

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Eastern District of TEXAS

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Case Name: Cellular Communications Equipment LLC v. HTC Corporation et al

Case Number: [6:16-cv-00363-KNM](#)

Filer:

Document Number: [148](#)

Docket Text:

ORDER FOR BRIEFING ON CLAIM CONSTRUCTION re [92] PLAINTIFFS DAUBERT MOTION TO EXCLUDE OR LIMIT THE TESTIMONY OF ZTES INVALIDITY EXPERT DR. CHRIS HEEGARD. The Court **ORDERS** that the parties submit supplemental briefing addressing their respective constructions of the phrase "controlling." Plaintiff shall submit a brief no longer than 10 pages by July 30, 2018. Defendants shall submit a responsive brief no longer than 10 pages by August 6, 2018. Signed by Magistrate Judge K. Nicole Mitchell on 7/18/2018. (rlf,)

6:16-cv-00363-KNM Notice has been electronically mailed to:

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